

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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AU NEW HAVEN, LLC and TRELLEBORG :
COATED SYSTEMS US, INC., :

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 9/14/2020

: Plaintiffs, : 1:15-cv-3411-GHW

-v - :

ORDER

: YKK CORPORATION, YKK HONG KONG :
LTD., YKK FASTENING PRODUCTS SALES :
INC., SHANGHAI YKK ZIPPER CO., LTD., :
SHANGHAI YKK TRADING CO., LTD., YKK :
CANADA INC., YKK TAIWAN CO., LTD., P.T.:
YKK ZIPPER INDONESIA, YKK :
BANGLADESH PTE. LTD., YKK KOREA CO.,:
LTD., YKK FRANCE SARL, DALIAN YKK :
ZIPPER CO., LTD., YKK VIETNAM CO., :
LTD., YKK DEUTSCHLAND GMBH, YKK :
(THAILAND) CO., LTD., YKK (U.K.) LTD., :
YKK ZIPPER (SHENZHEN) CO., LTD., YKK :
AUSTRIA GMBH, YKK ITALIA S.P.A., OOO :
YKK a/k/a YKK RUSSIA, YKK METAL VE :
PLASTIK URUNLERİ SANAYI VE TICARET :
A.S., and YKK (U.S.A.) INC. :

: Defendants.:

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GREGORY H. WOODS, United States District Judge:

The Court has reviewed the parties' September 11, 2020 submission regarding the processes for resolving certain pretrial issues. Dkt. No. 624. The Court adopts the parties' proposed deadlines and orders the following schedule for the parties' submissions:

- **Issues Related to the Potential Ambiguity of the Term "High End**

Outerwear." Briefs are due by no later than October 9, 2020. Oppositions are due by no later than October 23, 2020. Replies, if any, are due by no later than October 30, 2020.

- **Issues Related to Uretek's Fed. R. Evid. 1006 Exhibits.** Other than for those exhibits associated with Uretek's damages expert, James Donohue, (a) YKK will identify for Uretek the inaccuracies YKK believes are included in the exhibits that remain subject to Fed. R. Evid. 1006 ("FRE 1006") objections, the aspects of each exhibit that YKK believes constitutes the inadmissible expression of opinion by the offering expert, and any issues with the admissibility of the underlying information that is allegedly summarized in the exhibit, and (b) Uretek will provide to YKK a list of Mr. Donohue's exhibits that Uretek is withdrawing or revising to comply with the Court's ruling on YKK's Motion in Limine No. 11 Sec. II, by no later than October 2, 2020. For those exhibits associated with Uretek's damages expert, James Donohue, YKK will identify for Uretek the inaccuracies YKK believes are included in the exhibits that remain subject to FRE 1006 objections, the aspects of each exhibit that YKK believes constitutes the inadmissible expression of opinion by the offering expert, and any issues with the admissibility of the underlying information that is allegedly summarized in the exhibit, by no later than October 16, 2020. The parties will meet and confer in an attempt to further narrow any remaining disputes by no later than October 23, 2020. The parties will jointly advise the Court of any remaining disputes and separately submit any additional supporting information to support each party's position by no later than November 6, 2020.
- **Pending Objections to Counter-Designations.** The parties will exchange revised deposition designations by no later than October 16, 2020. The parties will exchange counter-designations by no later than October 30, 2020. The parties will exchange any objections to counter-designations by no later than November 6, 2020. The parties will submit a joint chart to the Court describing any pending objections to

counter-designations by no later than November 13, 2020. Plaintiffs' application to add new deposition designations during this process is denied.

- **Supplementary Motions in Limine.** Any supplementary motions in limine arising from the Court's July 30, 2020 summary judgment decision, Dkt. No. 611, are due by no later than October 9, 2020. Oppositions are due by no later than October 30, 2020. Replies, if any, are due by no later than November 13, 2020. Any objections regarding the scope of these motions and their connection to the Court's summary judgment decision shall be raised in the parties' opposition briefs.
- **Issues Related to Foreign Law.** The parties are directed to submit materials on any outstanding foreign law issues, including proposed supplemental jury charges, supporting memoranda of law from each party, expert information regarding the proposed charges, and English translations of the law the Court is being asked to consider, by no later than November 2, 2020. Any oppositions are due by no later than November 23, 2020. Replies, if any, are due by no later than November 30, 2020.

Furthermore, the Court will hold a teleconference in this matter on September 21, 2020 at 10:00 a.m. The parties are directed to use the conference call dial-in information and access code noted in the Court's Emergency Rules in Light of COVID-19, available on the Court's website, and are specifically directed to comply with Emergency Rule 2(C).

SO ORDERED.

Dated: September 14, 2020
New York, New York



GREGORY H. WOODS
United States District Judge